

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO**

MIGUEL A. RIVERA-SANTIAGO
Petitioner-Appellant

v.

Cv. 97-1557(RLA)

UNITED STATES OF AMERICA
Respondent-Appellee

**PETITIONER'S MOTION REQUESTING ENLARGEMENT OF DATE TO FILE
OUTLINE OF ISSUES TO BE EXAMINED AT EVIDENTIARY HEARING
DUE TO ACT OF GOD, GOOD CAUSE SHOWN, DUE PROCESS,
AND ANY OTHER REMEDY PURSUANT TO LAW**

**TO THE HONORABLE COURT
HONORABLE RAYMOND L. ACOSTA,
SENIOR U.S. DISTRICT JUDGE:**

Comes now the defendant, Miguel A. Rivera-Santiago, by the undersigned counsel, and very respectfully states, informs, and prays as follows:

1. Petitioner Miguel A. Rivera-Santiago was scheduled to file a motion by October 29, 2004, outlining the issues to be examined by the Honorable Court at an evidentiary hearing currently scheduled for January 27, 2005. See Order dated 10/07/04, (Dkt. #64).

2. Since the status conference on August 27, 2004, several unexpected matters affected the work of the undersigned counsel and the drafting of the instant outline of issues, to wit:

- (a) Since August 29, 2004, repeated hospitalizations and visits to the emergency room of the Veteran's Hospital for father-in-law, Gregorio Díaz, a 90-year-old Korean War Veteran.

- (b) The admission of 47-year-old severely retarded sister-in-law to Fundación Modesto Gotay on September 10, 2004.
- (c) The interruption of electricity for five (5) working days and the water service for two weeks, and a damaged telephone/internet line for approximately 30 days, as the aftermath of hurricane "Jeanne," (from 09/14/04 - 10/08/04).

Furthermore, during September-October 2004, the undersigned counsel continued to work in the case disposition of Cr. 04-134-01(SEC) (September 3, 2004), and of Cr. 04-107-01(PG) (September 19, 2004, after commencement of trial). Two other cases were scheduled for trial; that is, Cr. 02-377-06(DRD), where trial was set for 10/10/04, and Cr. 03-081-04(HL), where trial was set for 11/08/04. Both trials were continued within the past five (5) days. In a third case, Cr. 03-122-02(DRD), trial was set for 11/15/04.

The petitioner was recently transferred to MDC - Guaynabo. The undersigned counsel has informed the defendant of the current calendar and the need to enlarge it, if the Court so decides.

For the above stated reasons, it respectfully requested to this Honorable court, Honorable Raymond L. Acosta, Senior U.S. District Judge, to grant the instant request for an enlargement of the date to file the outlining of the issues to be presented at the time of an Evidentiary Hearing, and any other remedy pursuant to law.

I hereby certify that today I electronically filed the foregoing motion with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to Assistant U.S. Attorney Edwin Vázquez-Berrios, United States Attorney's Office, Torre Chardon, 350 Carlos Chardon St., Suite 1201, Hato Rey, PR 00918.

Respectfully submitted, in San Juan, Puerto Rico, today, August 30, 2004.

FOR COURT-APPOINTED DEFENDANT
MIGUEL A. RIVERA-SANTIAGO

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